



Devils Lake Water Improvement District
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www.DLWID.org

Quick Look:

- Lake Contractor
- Save Our Shorelines
- Goal Setting Review

AGENDA

Regular Meeting

2010 April 1 at 6 pm. in the DLWID Office.

- I. Minutes of the Previous Meeting** 6:00
- II. Financial Report**
- III. Public Comment** (Agenda Items, Please limit comments to 5 minutes per person)
- IV. Unfinished Business** (Agenda Support Item A)
- a. Boat House/Docks
 - b. Land-use Complaints
 - c. Lake Level
 - d. The Devils Lake Plan
 - i. DEQ 319 Grant
 - ii. Native Vegetation
 - iii. Whole Lake Circulation
 - iv. Septic Tank Revitalization Program (Seth Lenaerts)
 - v. Save our Shoreline Campaign (Seth Lenaerts)
 - e. Financial Oversight Committee Report (Randy Weldon)
 - f. Communications Committee Report (Jack Strayer)
 - g. Safety Report
 - h. Devils Lake Low Power Radio
 - i. Goal Setting Review
 - j. Budget Committee
- V. New Business** (Agenda Support Item B)
- a. PADL's Next Steps: John Lazier
 - b. Monitoring Equipment
 - c. SOLV: Down by the Lakeside
- VI. Non-agenda Items**
- VII. Public Comment** (Non-agenda Items, Please limit comments to 5 minutes per person)
- VIII. Board Comments & Announcements**
- IX. Adjournment**

Meetings of DLWID are handicapped accessible under the ADA.
If special accommodations are needed, please contact the District Office at (541) 994-5330 prior to the meeting

I. Unfinished Business

- a. **Boat House/Docks:** Met briefly with Valerie Soilihi, new Lincoln County Planning Director. This was a short ten minute discussion at the end of the Lincoln Land Legacy Meeting, so not a lot of details to share; it was more of me introducing myself and the District to her. As she is new in the position I mentioned the history of the work done already to lay the ground work for a boat dock/house ordinance, that we had done a survey receiving feedback from over 25% of the residents, that we had drafted an ordinance, that we had had one hearing on the issue with the County Planning Commission, who had been involved and why the previous Planner thought it best to stall the process until ODFW finished their recommendations which would have conflicted with what we were proposing. She said that we could get the process rolling again, but provided no timeline. I see this largely in our court now. I would like to invite one or two board members to help champion this last push as former director Smokey Aschenbrenner had been playing that role. We could imagine a few meetings to bring everyone up to speed and then a final hearing at the Planning Commission. Other key participants on this have been 2008 Lake Steward Award winner, Jerry Warner, Assistant Director of DSL, Kevin Moynihan, County Commissioner Don Lindley, and County Counsel Wayne Belmont.
- b. **Land-use Complaints:** To follow up on the mapping inaccuracy on DSL website for Essential Salmon Habitat, I sent the following email to Carrie Landrum of DSL, copying Derek Wilson of ODFW followed by truncated response below suggesting this will be remedied by April 2010.

Carrie,

I would like to discuss some mapping issues found on DSL's website that conflict with what as I understand ODFW considers Essential Salmon Habitat in and around Devils Lake. At issue is the following link: <http://www.oregon.gov/DSL/PERMITS/docs/maps/lincoln.pdf> . Could you please review and if you get a chance give me a call today or early tomorrow. There seems not to be recognition of Devils Lake itself in the map, nor ESH designation for the stream layer that would encompass the area of the lake. This is in contrast to other lake systems in for instance Douglas County, where at least the ESH layer is shown over where a lake would and does exist (See Tahkenitch Creek, actually a lake in Douglas County: <http://www.oregon.gov/DSL/PERMITS/docs/maps/douglas.pdf>) As for Devils Lake, there is a break in the stream layer between the D River and Thompson Creek which then doesn't seem to contribute the ESH listing to Devils Lake. We assume this is just an oversight, but would like to work with DSL to update this map.

Thank you.

Paul Robertson
Lake Manager
Devils Lake Water Improvement District
541-994-5330
www.DLWID.org

Truncated Response, suggesting this will be remedied by April, 2010.

Carrie,

Sarah is correct. Since the 2010 data has been thoroughly reviewed by ODFW multiple times, the best strategy here is to wait until April 1 when Randy will have the detailed, county pdfs posted on-line.

Eric D. Metz, PWS
Southern Region Manager
Removal-Fill Program

(503) 986-5266, direct line
(503) 378-4844, fax
<http://oregonstatelands.us/>

From Sarah: That would be Randy, though the 2010 mapping should better represent Devil's Lake as ESH. If Mr. Robertson can hold off a bit, the new county PDF maps should be out shortly. Right now all I see on our website is the 2001, not even a statewide for 2010 so I assume that will be posted shortly also.

Red = 2001; Blue = 2010



- c. **Lake Level:** Created an RFP for the Lake Contractor, advertised it in the News Guard under two headings (Announcements and Legal Notices) on two days March 10, and March 17th. The actual RFP was prominently posted on our website (homepage & projects page). Applicants have until March 17th 2 pm to ask questions regarding the RFP and until March 29, 4pm to make full application. We did receive one inquiry by the St. Patrick's Day deadline which I was able to clearly answer. It is expected that the board would award the contract at its April 1st meeting. I will forward on to the board any applications we receive for your review.

d. **The Devils Lake Plan**

- i. **DEQ 319 Grant:** Have just recently received feedback from DEQ on our QAPP and SAPs. Largely I believe the plans were well received (see email below). We have now 45 days to incorporate their comments and submit final drafts. From this document, we can draft up a RFP for the database formulation.

Paul-

In the interest of time, I am forwarding Steve Hanson's comments to you on the QA documents as tracked changes (attached). I will review them concurrently. After you look them over, we can setup a conference call, or feel free to contact Steve directly if you need some clarification on specific details.

Overall, these are very thorough plans, so the most important consideration is to make sure they work for you, and revisions can be efficiently incorporated tracked. After any final changes, we'll circulate for signatures.

Thanks,

*R. David Waltz
Coastal Basin Specialist
Oregon Dept. of Environmental Quality*

- ii. **Native Vegetation:** Participated in a teleconference with Toni Pennington, Tetra Tech, Dan Avery and Gary Galowich, ODFW and Directors Skirvin and Strayer of DLWID. We discussed the proposed exclosures for Native Vegetation plantings. We found support for Tetra Tech's design using a floating system, attached to the shoreline at either end as well as the bottom throughout. We could also use a free standing system, but electroshocking the area would be more difficult. A contact at ODOT was to be provided to Tetra Tech with designs of a free standing system developed for the Mill port Slough bridge replacement on Hwy 101 near Salishan. This design though would impede ODFW's and assumingly any other contractors' ability to electroshock the area in insure no fish had entered the exclosure. It was stated by Dan Avery that there would not be a requirement to have a full vegetation management plan in place to get their approval, although moving forward on such a plan would be beneficial for many reasons including the potential restocking of Grass Carp. We just could not remove the exclosure until bass/Coho issues were resolved. We were instructed that prior to the establishment of an exclosure through to its final implementation, we would need to apply for and implement a "FISH SALVAGE PERMIT" from NMFS (NOAA-Fisheries). This would like include multiple sweeps of the area using a seine (net) followed by systematic electro shocking of the area. This is certainly an expense we would have to consider when budgeting for such an exclosure.

Grass Carp: It has been awhile since we have met with ODFW (1 year plus), and the District hasn't had Grass Carp on its Agenda since we applied for the permit, but it did come up at our meeting again, so I am providing this update. The District made application for Grass Carp in 2007-10-29, knowing full well we would be denied based on a couple criteria, such that if we wanted to pursue Grass Carp again in the future, we would be one step ahead in the appeal process. The District has not made that next decision.

The District has spoken twice in front of the ODFW commission regarding lake management strategies, to which Grass Carp were mentioned as what we would hope to be eligible for a last resort should other strategies not be able to meet vegetation management goals. The Commission is, as I understand from ODFW staff, opposed to stocking or re-stocking of Grass Carp in waters of the state, and in 2003 had conducted an extensive rule changing on the matter which currently prohibit those fish from be planted in Devils Lake. Should we seek to appeal the ruling through ODFW Commission, we have had in person and over the phone communications from ODFW staff in Newport that they would be supportive of our application. We have never received anything in writing to this effect, but we did receive the firm confirmation of that offer of support from Dan Avery, ODFW-Newport during our recent phone conference.

- iii. **Whole Lake Circulation:** I would like to ask the Board to provide direction as to how they would like to proceed or not proceed in this matter.
- iv. **Septic Tank Revitalization Program** (Seth Lenaerts)

Ordinance:

At the March 8, City Council meeting, Council voted 4-2 to direct staff to draft a septic system ordinance based on the eight outlined points approved by both Council and DLWID board.

We have been told that it may be a month or more before the City Attorney begins drafting the ordinance. In the meantime City and DLWID staff will be collecting information that will speed up the drafting process.

Public Input:

As of Thursday, March 18, we do not have an estimated time of when the draft of the ordinance will be written. When we have an estimate we can then determine a date to have a public input meeting.

Data Collection:

Work is continuing with the County to build the septic GIS layer for the watershed. It should be completed by mid-April.

- v. **Save our Shoreline Campaign** (Seth Lenaerts)

We are still intending to complete three shoreline restoration demonstration projects at 9am, Saturday, April 3. We are looking for volunteers to help in this project.

Landscaper:

Spiro landscape, located in Newport was chosen as the landscaper for this project. Spiro has many years of experience in the area and is well qualified to lead this project. (See Attachment to view his proposal).

Property owners:

A number of property owners initially expressed interest. However, some property owners decided against it, some sites didn't work out and one did the work on their own. We will continue to look for interested property owners. As of Thursday, March 18, one property owner has been selected and details are being worked out with another. We are still looking for at least one more.

Volunteers:

This project will also require the help of volunteers. We will have flyers up about two weeks before the planting and be posting in the local newspapers and on the radio. If anyone is interested in volunteering please email: Seth@dlwid.org.

e. **Financial Oversight Committee Report** (Randy Weldon)

f. **Communications Committee Report** (Jack Strayer)

Seth Lenaerts: We are planning to send out the water bill mailing in the April water bill. April worked out better for the City and the printers. It may also allow us to include the date of the public input meeting for the septic ordinance. About 6,000 flyers will have to be printed.

g. **Safety Report:** Nothing to report.

h. **Devils Lake Low Power Radio:** I have designed a sign that I am sending to Delake Sign for production. Installation would be soon after, assumingly done by our new lake contractor.

DEVILS LAKE RADIO



i. **Goal Setting Review:** See attachment. In the consideration of time, please make your votes ahead of the meeting.

j. **Budget Committee:** See attachment. We have had one application for the committee and have three vacancies. Applicant's name is James Hoover Jr. I have sent you his application as an attachment.

II. New Business

(Agenda Support Item B)

a. **PADL's Next Steps:** John Lazier

b. **Monitoring Equipment:** Our pH/conductivity/Temp probe has come to the end of its useful life and needs to be replaced. It has been my experience that a field meter such as this will last between 3-5 years with a probe replacement every 1-3 years. We have gotten basically 4 years out of this one unit and have purchase one additional probe in that timeframe. I find this then to be of a suitable value for our application. Seth has found a few vendors selling this same probe or model equivalent. I have also provided the cost of the 25 meter down well probe which will allow us to continue to do lake profiling. Cost is \$717 plus S& H for all vendors. I would ask that the District resolve to move \$750.00 from Debt service to Capital Outlay to accommodate this purchase prior to the monitoring season which begins in May.

Davis Instruments:

Meter: http://www.davis.com/catalog/product_view.asp?sku=3563003&px=DO \$510.00

Probe http://www.davis.com/catalog/product_view.asp?sku=3563054&px=DO \$207.00

Oakton Instruments

Meter <http://www.4oakton.com/proddetail.asp?parent=12&prod=196&TotRec=na&Seq=10&qty=0> \$510.00

Probe <http://www.4oakton.com/proddetail.asp?parent=52&prod=240&TotRec=na&Seq=11&qty=0> \$207.00

Cole Parmer

Meter http://www.coleparmer.com/catalog/product_view.asp?sku=3563003 \$510.00

http://www.coleparmer.com/catalog/product_view.asp?sku=3563054&px=EW \$207.00

S & H approx \$20.

c. SOLV: Down by the Lakeside This annual event in its 13th year as Down by the Riverside has been cancelled by SOLV. They are combining the event with fall events. We however can continue to hold our event with their affiliation; it would simply not have some of the advertising elements previously available or grant funding. They still will offer bags and many other items should we choose to hold our own event. For the last 4 years DLWID has held an event at the Union 50 attracting between 15-25 participants each year, and removing literally tons of debris (50 plus tires). Last year we had sponsorship and participation by South Beach SCUBA who hosted six divers. Generally we have provided food (coffee and donuts in the AM and a pizza lunch) plus T-shirts to all participants. With facility rental which went from \$50 to \$100 we spent \$278.91 last year on this event having budgeted \$250. We have the same amount budgeted for 2009-2010.

Questions: Do we want to move the event to the fall to coincide with SOLV? If not, do we want to have the event without the SOLV statewide recognition still holding it in May or at some other time possibly June after school is out? If we move it do we want to consider having it mid-week taking pressure off the weekend when boating activity tend to be heaviest? Do we want to provide T-shirts and food again or perhaps a hat or other item?